

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

No. 1:20-cr-183

vs.

Hon. Robert J. Jonker
Chief United States District Judge

BARRY GORDON CROFT, JR.,

Defendants.

/

MODIFIED PROTECTIVE ORDER

For the reasons stated in the Defendant's Unopposed Motion to Modify Protective Order, the Protective Order [ECF No. 107, PageID.615-616] previously entered by this Court is modified as follows:

1. Discovery material provided by the government is to be used solely for the preparation of the defense in this case. Defense counsel, not the defendant, will decide whether such use and/or disclosure is necessary to the defense. This limitation applies to all discovery provided by the government in this criminal action, including discovery provided after issuance of this Order.

2. Defense counsel may disclose such discovery material to: (a) members of the defense team; consisting of counsel, co-counsel, paralegals, investigators, litigation support personnel, the defendant, and secretarial staff; (b) experts or consultants retained to assist in preparation of the defense; (c) potential witnesses in this case identified by the defense team; and (d) this Court.

3. Defense counsel may disclose the discovery materials to their clients but will not allow the defendants to retain unredacted paper copies of discovery materials in pretrial custody.

Defense counsel may provide his client with a computer containing the discovery material to review in pretrial custody on the following conditions:

- a. The computer shall have the networking devices, if any, disabled in the BIOS settings or otherwise disabled to prevent network access;
- b. The Defendant shall only use the computer for the purpose of reviewing the discovery material;
- c. The discovery material shall be encrypted on the computer and the decryption key shall be provided only to the Defendant;
- d. The Defendant shall not disclose the discovery material to any other person in the jail nor permit any other inmates to review the discovery material;
- e. When not in use by the Defendant, the computer shall be stored by the jail staff; and
- f. The computer shall be labeled to clearly indicate that the contents are subject to this protective order.

4. Defense counsel will take all reasonable steps necessary to ensure that government discovery materials are not improperly disclosed.

Dated: May 4, 2021

/s/ Robert J. Jonker

HON. ROBERT J. JONKER
Chief United States District Judge